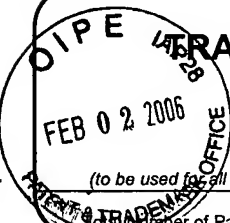
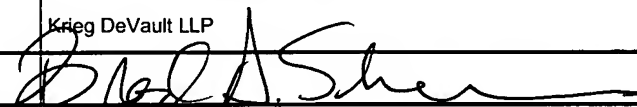
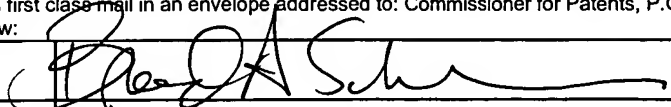


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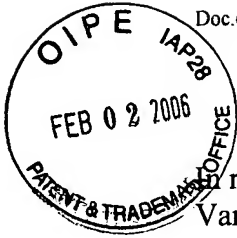
 TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/775,546	
	Filing Date	February 10, 2004	
	First Named Inventor	James E. Van Hoeck et al.	
	Art Unit	3738	
	Examiner Name	David J. Isabella	
Total Number of Pages in This Submission	17	Attorney Docket Number	MSDI-435/PC263.32

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input checked="" type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Krieg DeVault LLP	
Signature		
Printed name	Brad A. Schepers	
Date	January 30, 2006	Reg. No. 45,431

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Doc.662044

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re patent application of:
Van Hoeck et al.

Application Serial No. 10/775,546

Filed February 10, 2004

INTERVERTEBRAL SPACERS

) Before the Examiner:
) David J. Isabella
)

) Group Art Unit 3738
)

) Ref. No. MSDI-435/PC263.32
)

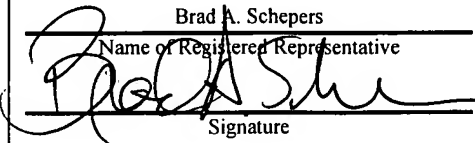
) January 30, 2006

RESPONSE TO FINAL OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the final Office Action mailed November 30, 2005, please enter and consider the following amendments and remarks. Additionally, please provide any extensions of time necessary and charge any additional fees which may be necessary to Deposit Account No. 12-2424, but not to include any payment of issue fees.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:	
January 30, 2006	_____
Date of Deposit	_____
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Name of Registered Representative	_____
	_____
Signature	_____
January 30, 2006	_____
Date of Signature	_____

INTRODUCTORY COMMENTS

Claims 1-58 were pending in the subject application for the final Office Action mailed on November 30, 2005. Claims 21-57 have been withdrawn from consideration as being drawn to a non-elected species of the invention. Claims 1-20 and 58 have been rejected on various grounds. Claims 49-57 have been cancelled without prejudice for possible submission in a continuing application. In view of the following amendments and remarks, reconsideration and allowance of the subject application are hereby requested.